

THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant: RINKER MATERIALS WEST, L.L.C.
Source: UNDERGROUND
Basin: PAHRUMP VALLEY
Manner of Use: MINING AND MILLING
Period of Use: January 1st to December 31st
Priority Date: 10/09/1952

NEW PRIORITY DATE:
FEB 8 2012

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 62671 is issued subject to the terms and conditions imposed in said Permit 62671 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 49456 and 76499, having the same place of use, shall not exceed 5.0 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

This permit is issued for mining and milling purposes for a gravel pit and concrete batch plant on a portion of BLM land identified by the Nye County Assessor as APN 27-441-06.

(Continued on Page 2)

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.025 cubic feet per second or 2.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

December 17, 2009

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

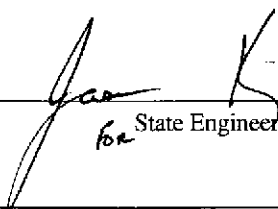
December 17, 2011

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 17th day of **December**, A.D. **2008**


for State Engineer

Completion of work filed _____

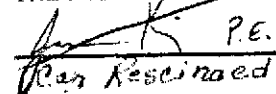
Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

CANCELLED **FEB 08 2012** **BECAUSE OF**
FAILURE OF APPLICANT TO COMPLY WITH
THE PROVISIONS OF PERMIT

 **P.E.** **STATE ENGINEER**
Res Rescinded 5-14-2012

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office NOV 21 2007 NEW PRIORITY DATE: FEB 8 2012
Returned to applicant for correction.....
Corrected application filed..... Map filed NOV 21 2007

The applicant RINKER MATERIALS WEST, L.L.C.1501 BELVEDERE ROAD
Street and No. Or P.O. Box No

of

WEST PALM BEACH
City or TownFLORIDA, 33406
State and Zip Code No.

hereby make s Application for permission to change the

POINT OF DIVERSION, PLACE AND MANNER OF USE

of water heretofore appropriated under

PERMIT # 62671,

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree

and identify right in Decree.

1. The source of water is UNDERGROUND
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 2.0 ACRE-FEET(0.025 CFS)
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Mining and Milling
Irrigation, power, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.
4. The water heretofore used for Commercial and domestic
If for stock state number and kind of animals.
5. The water is to be diverted at the following point SW 1/4 SW 1/4 SECTION 28, TWN. 20 S., RNG 54 E.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B. & M., NYE COUNTY, NEVADA, OR AT A POINT ~~WITH~~ FROM WHICH THE S QUARTER CORNER (S1/4) OF SAID
distance to a section corner. If on surveyed land, it should be stated.
SECTION 28 BEARS N 83°27'17" W. A DISTANCE OF 2670.93 FEET
6. The existing point of diversion is located within SE1/4 SE1/4 SECTION 36 TWN. 19S. RNG. 53E.,
If point of diversion is not changed, do not answer.
M.D.B. & M., NYE COUNTY, NEVADA OR AT A POINT FROM WHICH THE SOUTHEAST CORNER
OF SAID SECTION 36 BEARS S 10° 32'48" W A DISTANCE OF 895.08 FEET

PER
LATER
1/28/07

REL

162-11

7. Proposed place of use SW 1/4 SW 1/4 SECTION 28, TWN. 20 S., RNG 54 E., M.D.B.&M.

Describe by legal subdivision. If for irrigation state number of acres to be irrigated.

NYE COUNTY, NEVADA

8. Existing place of use 78.73 ACRES IN THE E 1/2 SECTION 36, TWN 19S., RNG. 54E., M.D.B.&M.

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner

NYE COUNTY, NEVADA

of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from JANUARY 1 to DECEMBER 31 of each year.
Month and Day Month and Day

10. Use permitted from JANUARY 1 to DECEMBER 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) WELL, PUMP, AND APPURTENANCES

State manner in which water is to be diverted, i.e. diversion structure, ditches,

pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of \$20,000

13. Estimated time required to construct works 2 MONTHS

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 2 YEARS

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

WATER WILL SERVE A CONCRETE BATCH PLANT TO PROVIDE CONCRETE FOR THE PAHRUMP VALLEY

(702) 563-0600
Phone No.

By

LONNIE C. ROY

Print or type name clearly

Signature, applicant or agent

8 W PACIFIC AVE

Street and No., or P.O. Box No.

HENDERSON, NV 89015

City, State, Zip Code

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION

COLLECTED BY MAIL

15:11:47 12 NOV 21

11:11:11